

### **REMARKS**

In response to the Office Action mailed January 11, 2005, the response period of which is extended to June 11, 2005 by the accompanying petition for extension of time, Applicant amends claims 1, 5-6, 15-16, and 24-26 and cancels claims 2-4 and 11-12. Claims 1, 5-10, and 13-26 are presented for examination.

#### ***Claim rejections under §102(e) and §103(a)***

The examiner has rejected claims 1-9, 11-13, and 18-26 under 35 U.S.C. §102(e) as being anticipated by *Frankel* (US 6,639,913). The examiner has also rejected claims 10 and 14-17 under 35 U.S.C. §103(a) as being rendered obvious by *Frankel* in view of *Kimbrough* (6,781,981) or *Zuranski* (6,445,733).

As amended, claim 1 includes at least one line termination device connected via a telephone line wired within a building to several network termination devices... each network termination device is connected to a corresponding data communication device to form a local area network (LAN).

In contrast, *Frankel* discloses a customer site 7 that includes a remote digital terminal 100 that interfaces to a plurality of telephone devices 10 and is connected via a local loop DSL 24 to a DSL access multiplexer 64.<sup>1</sup> The remote digital terminal 100 converts voice traffic to a format that can transit the local packet network 60.<sup>2</sup> The DSL access multiplexer 64 is connected via a data switch 62 to a central switching facility 30 using optical fibers 66 and 26.

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<sup>1</sup> See FIG. 1

<sup>2</sup> See col. 4, lines 56-59

As best understood, the Examiner considers *Frankel's* telephone device **10** to correspond to the claimed "line termination device" and the switch **62** to correspond to one of claim 1's "several network termination devices." With this being the case, Applicant draws attention to the relative locations of the telephone devices **10** and the switch **62** in *Frankel*. In particular, in *Frankel*, the telephone devices **10** in the building are connected to a switch **62** residing at a central switching facility. Therefore, the telephone line between a telephone device **10** and the switch **62** is not "wired within the building" as recited in claim 1. Since *Frankel* fails to describe or suggest a "line termination device connected via a telephone line wired within a building to several network termination devices" as recited in the applicant's claim 1, applicant requests that this rejection be withdrawn.

Claims 5-10 and 12-23 depend from claim 1 and are patentable for at least the same reasons as claim 1.

Independent claims 24-26 each recite the limitation of "a telephone line wired within a building" and are patentable for reasons similar to those discussed above in relation to claim 1.

### ***Summary***

It is believed that all of the rejections have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the

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amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Enclosed is a check in payment of the extension fee. Please apply any additional charges or credits to deposit account 06-1050.

Respectfully submitted,

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